

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0476-06
Bill No.: Perfected HCS for HB 348
Subject: Elections
Type: Original
Date: April 23, 2013

Bill Summary: This proposal changes the laws regarding elections.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

FISCAL ANALYSIS

ASSUMPTION

§§52.010, 54.040, 54.330 - County treasurer and collector-treasurer qualifications

Officials from the **Office of Secretary of State** and **Boone County Collector** assume the proposal would not fiscally impact their respective agencies.

Oversight assumes there is no direct fiscal impact from this proposed legislation on state or local government funds.

§78.090 - Certain Third Class City primary elections:

Officials at the **City of Monett** state primary elections were held in 2012 and 2008 at an average cost of \$6,056. Neither primary election was needed to reduce the number of candidates required for the general municipal election in April. In the last four primary and general elections (2012, 2008, 2004, 2000), only one actually eliminated a candidate.

In response to similar legislation from 2012 (HB 1250), officials at the **City of West Plains** stated the Office of Mayor and City Councilman have 4 year terms of office. Primary elections are held each year if enough candidates have filed for the elected office. This proposal would allow the city to cancel the primary if two or fewer candidates file for the elected office. The city would realize a savings if the primary is cancelled.

In response to similar legislation from 2012 (HB 1250), officials from the **Office of Secretary of State (SOS)** assumed the City of West Plains and the City of Monett are the only two 3rd class cities with a commission form of government that have a primary election.

SOS assumes that there is no fiscal impact from this section of the proposal.

Oversight assumes the City of West Plains and the City of Monett may or may not choose to have a primary election for the office of mayor and councilman. The respective cities would realize minimal savings, dependent upon the cancellation of the February primary when the number of candidates that file for the office of mayor and councilman does not exceed the number required to proceed to the general election.

Oversight assumes the proposal is permissive, and for the purpose of the fiscal note, will show no savings to the City of West Plains and the City of Monett.

ASSUMPTION (continued)

§§115.003 - 115.456 - Election laws

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials at **Buchanan County**, the **Kansas City Election Board** and the **Platte County Board of Election Commissioners** each assume there is no fiscal impact to their organization from this proposal.

Officials from the **St. Louis County Board of Election Commission (BOEC)** assume §115.281.2 would result in labor costs of \$36,000 per countywide election because of the need of a second election specifically for absentee ballots. The BOEC must account for every election day ballot and absentee ballot separately. Without the ballot title to distinguish between the two ballots, BOEC would no longer know which paper ballot belongs to the appropriate group. Therefore, they would have to create a special election specifically for absentees and number the individual ballots. This would take an additional 4.5 weeks to program, proof and finalize an absentee election, requiring eight staff with an average pay of \$25 per hour.

Oversight assumes procedures can be modified to keep ballots separate and additional costs, if any, can be absorbed.

§115.135 - Use of legal name when registering to vote

Officials from the **Kansas City Election Board** state the fiscal impact of this section would be

ASSUMPTION (continued)

minimal on their operations. Registration materials and training of staff and deputy registrars would change resulting in a net effect of less than \$5,000.

Oversight assumes these costs would be absorbed with existing resources.

Officials from the **Office of Secretary of State - Elections Division, Department of Health and Senior Services**, and the **Platte County Board of Election Commissioners** each assume this section of the proposal would not fiscally impact their respective agencies.

§115.601 - Vote recounts

Officials at the **Office of the Secretary of State, Buchanan County** and the **Platte County Board of Election Commissioners** each assume there is no fiscal impact to their organization from this proposal.

Officials from **Johnson County** assume a recount would cost \$4,000 in staff and judges. However, it is unclear if a recount would ever be necessary.

Officials at the **Kansas City Board of Elections** assume it costs the taxpayers in their jurisdiction between \$10,000 - \$15,000 to conduct a recount. They usually have one recount every two years. By reducing the percentage, the number of recounts and the costs should be cut in half.

Officials at the **St. Louis County Board of Election Commission** assume that between 2006 and 2012 they had 16 recounts. If this lower percentage had been in place at that time 37% fewer recounts would have occurred for a savings of \$4,900.

It is impossible to determine if recount votes would be needed in the future, therefore, **Oversight** will reflect a \$0 or Unknown savings (recounts not needed due to the provisions of this proposal) to local election authorities.

§ 115.607 - Jackson County political party committees:

Officials from the **Office of Secretary of State - Elections Division, City of Kansas City**, and **Kansas City Election Board** each assume the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

Oversight assumes the election of Jackson County political party committee members will occur through the normal Jackson County election process and there will be no fiscal impact.

Officials from **Jackson County** did not respond to a request for fiscal impact.

§§162.481, 162.492 - Converts the Kansas City school board to a seven-member board

Officials from the **Kansas City Election Board** state this proposal will save taxpayers approximately \$100,000 every even election year by combining costs with other entities requesting elections on that same day.

Officials from the **Department of Elementary and Secondary Education, Kansas City Public School District**, and the **City of Kansas City** each assume the proposal would not fiscally impact their respective agencies.

§§247.060, 247.080 - Public water supply board of directors requirements

Officials from the **Department of Natural Resources** and **Metropolitan St. Louis Sewer District** each assume the proposal would not fiscally impact their respective agencies.

Oversight assumes this proposal would have no direct fiscal impact on public water supply districts.

Officials from numerous water and sewer districts did not respond to **Oversight's** request for fiscal impact.

Officials at the following board of election commissions: St. Louis City Board of Election Commission, Clay County Board of Election Commission, and the Jackson County Board of Election Commission did not respond to **Oversight's** request for fiscal impact.

Officials at the following counties: Andrew, Audrain, Barry, Bates, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, Cole, Cooper, DeKalb, Franklin, Greene, Holt, Jackson, Jefferson, Knox, Laclede, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Phelps, Platte, Pulaski, Scott, St. Charles, St. Francois, Taney, Warren, Wayne and Worth did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
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LOCAL ELECTION AUTHORITY FUNDS

<u>Savings</u> - Local Election Authorities - Fewer vote recounts - §115.601	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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**ESTIMATED NET EFFECT ON
LOCAL ELECTION AUTHORITY
FUNDS**

\$0 or Unknown \$0 or Unknown \$0 or Unknown

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

§115.601 - Vote recounts

In a case where a candidate filed or a ballot question was originally filed with the Secretary of State, this proposal changes when the candidate or the person whose position on a ballot question was defeated must be allowed a recount of the votes from a standard requiring the candidate's or the ballot question's defeat by less than 1% of the votes cast to a defeat by less than one-half of 1% of the votes cast.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education

Department of Health and Senior Services

Department of Natural Resources

Office of Secretary of State

Division of Elections

Administrative Rules Division

Counties

Buchanan

Johnson

Boone County Collector

St. Louis County

Cities

West Plains

Monett

Kansas City

Columbia

Local Election Boards

St. Louis County Board of Elections

Platte County Board of Election Commissioners


Kansas City Board of Elections

Kansas City Public School District

Metropolitan St. Louis Sewer District

Not Responding:

Jackson County



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Acting Director
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